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June 23, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Suite 222
1919 M Street, N.W.
Washington, D.C. 20554

RE: MM Docket No. 92-81, RM-7875
Farmington and Gallup, New Mexico

Dear Ms. Searcy:

Transmitted herewith, on behalf of KOB-TV, Inc., are an original and four copies of its "Reply Comments" in MM Docket No. 92-81.

Should any questions arise concerning this filing, please communicate with this office.

Very truly yours,

Lonna M. Thompson

Lonna M. Thompson

LMT/bll
Enclosures

cc: Mr. Michael C. Ruger, FCC (w/enc.)(**by hand**)
Erwin G. Krasnow, Esquire (w/enc.)

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of	)	MM Docket No. 92-81
	)	
Amendment of Section 73.606(b)	)	RM-7875
Table of Allotments	)	
Television Broadcast Stations	)	
(Farmington and Gallup, New Mexico)	)	

Directed to: Acting Chief, Allocations Branch

REPLY COMMENTS

KOB-TV, Inc. ("KOB"), licensee of Stations KOB-TV, Albuquerque, New Mexico, and KOBF(TV), Farmington, New Mexico, by its counsel, hereby files its "Reply Comments" in response to the Comments of Pulitzer Broadcasting Company ("Pulitzer") in the above-captioned proceeding.

This proceeding was initiated by the FCC, by Notice of Proposed Rule Making, 7 FCC Rcd 2382 (1992) ("Notice"), in response to Pulitzer's Petition for Rule Making proposing the reallotment of Channel 3 from Gallup to Farmington and modification of Pulitzer's permit for Station KOAV-TV to specify the new community of license. KOB filed its Comments and/or Counterproposal in the above-captioned proceeding, urging the FCC to retain Channel 3 at Gallup and, instead, to allot a new UHF channel to Farmington.[1] Pulitzer's Comments fail to demonstrate that reallotment of Channel 3 to Farmington would represent a preferential arrangement of allotments, and, accordingly, Channel

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[1] KOB will not herein reiterate the substance of its Comments, but rather it hereby incorporates them by reference.

3 should be retained at Gallup.[2]

I. Pulitzer Fails to Demonstrate that the Requested Reallotment to Farmington is Preferable to Leaving Channel 3 at Gallup

In its Comments, Pulitzer utterly fails to demonstrate, as requested by the Commission, in its Notice of Proposed Rule Making, par. 8, that the reallotment of Channel 3 from Gallup to Farmington, rather than the retention of Channel 3 at Gallup and the allotment of a UHF channel at Farmington, would result in a preferential arrangement of allotments. Thus, as requested by KOB, in its Comments and/or Counterproposal, the FCC should retain Channel 3 at Gallup.

Indeed, retention of Channel 3 at Gallup would be preferable to reallotment of Channel 3 to Farmington.[3] As discussed in the

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[2] Presently, KOB maintains an office in Gallup staffed by two employees: one sales person and one news person. KOB remains committed to applying for a new television station to operate on Channel 3 at Gallup, if it becomes available, and, if authorized, will construct and operate the station promptly. The proposed KOB station would operate as a satellite of KOBF(TV), Farmington, New Mexico, whose signal is rebroadcast in the area by translators. News of Gallup and the surrounding area is presently incorporated within KOBF(TV)'s news programming. The satellite station would improve signal quality. KOB would also propose to originate some local programming when sufficient revenues were generated to support such programming facilities. Retention of Channel 3 and the potential opportunity for local originated programming in Gallup is particularly important in light of the fact that Gallup is located at the heart of the Navajo Nation, being approximately 20 miles from the capital of the Navajo Nation, Window Rock, Arizona.

[3] Pulitzer, which initially proposed to operate KOAV-TV at Gallup as a satellite of its Albuquerque station, KOAT-TV, now claims that Gallup residents already receive the programming of KOAT-TV via translators or the local cable television system. Comments, p. 10. However, as the FCC stated in the Notice, 7 FCC Rcd at 2383, n. 5, it has not

Technical Statement of W. Jeffrey Reynolds, attached hereto as Exhibit 1, the service losses from Pulitzer's proposal far exceed the service gains. Indeed, reallotment of Channel 3 from Gallup to Farmington would create a net "white" (0 service) area containing 53,667 persons within 5,931 square kilometers.[4] These losses outweigh any benefits claimed by Pulitzer for its proposal.

The Commission and the courts have long held that "losses in service are prima facie inconsistent with the public interest," and they strictly scrutinize the claimed benefits of the extension of service to additional persons that allegedly outweighs a resulting loss of service in the original area. West Michigan Telecasters, Inc. v. FCC, 460 F. 2d 883, 889 (D.C. Cir. 1972). "Furthermore, it is well established that the mere fact that total gains exceed losses does not, standing alone, constitute an affirmative factor offsetting those losses." KTVO,

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considered these services as a substitute for over-the-air service in allotment proceedings. There is no reason why the FCC should do so here, and Pulitzer does not provide one. Indeed, those services are not equivalent substitutes for over-the-air television service because translators are secondary and cable service is not "free" to viewers. Further, Pulitzer fails to note that Farmington residents already receive KOAT-TV over translators and local cable systems. Indeed, KOAT-TV has an 18 share, sign-on to sign-off, in San Juan County, which includes Farmington. See attached Exhibit 2 hereto.

[4] Pulitzer attempts to ignore the service losses resulting from reallotting Channel 3 to Farmington by claiming that KOAV-TV should not be considered as a potential service since Pulitzer has no intention of constructing a station on Channel 3 at Gallup. Comments, p. 4. Pulitzer ignores, however, that another party, KOB, represents that it will seek to utilize Channel 3 at Gallup to serve that community and surrounding areas.

Inc. 39 R.R. 2d 1551, 1558 (Rev. Bd. 1977) (application to change transmitter site denied because net white area of 11,729 persons would be created, and the gain of a first network service to 223,000 persons was not sufficient benefit to offset the loss of service). The most essential priority of the television allocation scheme is to "provide at least one television service to all parts of the United States." Sixth Report and Order, 41 FCC 148, 167 (1952). Elimination of Channel 3 in Gallup would thwart this priority.[5]

Further, Pulitzer has not substantiated its claims as to the service benefits that would result from its proposed reallotment, and its current claims are subject to question.[6] In the Notice, par. 7, the FCC requested information as to Station KREZ's Grade B contour so that the service benefits claimed by Pulitzer for its proposal could be verified. As discussed in the Technical Statement of W. Jeffrey Reynolds, attached hereto as Exhibit 1, Pulitzer based its response in its Comments on a computer propagation model, for the availability of other Grade B services, the use of which has been rejected by the FCC in allotment proceedings. See Notice of Proposed Rule Making in MM

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[5] Although Pulitzer has only a CP there now, as discussed herein, if Channel 3 were retained in Gallup, KOB-TV, Inc. would apply for Channel 3 in Gallup and would provide the first service to residents of Gallup.

[6] It is noteworthy that the number of persons claimed by Pulitzer to receive first and second service from its proposal, in its Comments, have been reduced substantially from that claimed in Pulitzer's Petition for Rule Making. Thus, pressed by the FCC to verify the service benefits of the proposal it claimed in its Petition for Rule Making, Pulitzer failed.

Docket No. 89-68 (Clermont and Cocoa, Florida), 4 FCC Rcd 2515, 2516 (Chief, Allocations Branch, 1989). In addition, Pulitzer's use of the model is flawed because it is incomplete and inconsistent.[7] Pulitzer used the FCC's standard prediction method, not its alternative model, to determine the Grade B contour location of Station KKTO, Channel 2, Santa Fe, New Mexico. In addition, Pulitzer totally failed to consider the Grade B contour of Station KCHF, Channel 11, Santa Fe, New Mexico, whose inclusion would change the results. See Exhibit 1 hereto. Thus, Pulitzer has not demonstrated even the reduced service benefits it now claims for its proposal.

Additionally, as discussed in Exhibit 1 hereto, Pulitzer's claimed service benefits rest on hypothetical facilities for KOAV-TV at Farmington that it has not demonstrated can be achieved. The assumed KOAV-TV facilities at Farmington propose more than four times the effective radiated power and three times the antenna height above average terrain of the authorized KOAV facilities. Indeed, the assumed facilities represent an increase in the antenna height of the K19CM tower at the existing transmitter site proposed by Pulitzer of more than 54 meters (177 feet), for which approval of the Federal Aviation Administration is necessary and for which approval by local zoning authorities may also be necessary. See Exhibit 1 hereto. Thus, Pulitzer may not be able to achieve the service contours for Channel 3 at Farmington upon which its claimed service benefits are based.

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[7] Pulitzer also omitted to include sample calculations in its Comments, as required by the Commission. See Exhibit 1 hereto and Section 73.684(f) of the FCC's Rules.

Pulitzer's sole reason for the proposed reallotment is, as it admits, economic. It has concluded that "activation of Station KOAV-TV at Gallup would not be economically feasible." Comments, p. 4. However, the FCC is not the guarantor of the financial success of broadcast licensees. The FCC's allotment priorities, considered in allotting Channel 3 to Gallup, cannot be overridden by Pulitzer's assessment of whether it can make a profit by operating a television station on Channel 3 at Gallup.[8]

II. Pulitzer Has Not Demonstrated that a UHF Channel Should Not be Allotted to Farmington

As KOB demonstrated in its Comments, a UHF channel can be allotted to Farmington so that Pulitzer can serve that community, as it clearly wishes to do, without the service losses engendered by reallotting Channel 3 from Gallup to Farmington. Pulitzer's arguments that, under Section 307(b) of the Communications Act, Farmington merits Channel 3 more than does Gallup and that the existing allotment arrangement does not comport with the FCC's allotment priorities, have no merit. Pulitzer bases those arguments on language quoted from the Sixth Report and Order, 41 FCC 148, 168 (1952), that metropolitan centers should be assigned more VHF channels than smaller communities. Farmington, however, is hardly a metropolitan center, but, as Pulitzer concedes in its Petition for Rule Making, p. 8, is a rural community, like Gallup. More importantly, Pulitzer omits to note that the FCC

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[8] Pulitzer's conclusion that a television station on Channel 3 at Gallup cannot be operated profitably is not the last word, and, to the contrary, KOB has concluded that it can.

added, in the Sixth Report and Order, that:

> "At the same time--and this is a basic element in the Commission's assignment plan--the Commission did not believe that large cities should receive an undue share of the relatively scarce VHF channels; the Table we have adopted herein reflects a substantial distribution of VHF assignments among smaller communities and sparsely settled areas."[9]

41 FCC at 168.

Pulitzer's argument that geographic, economic and population factors dictate the requested reallotment is misguided. Those factors are included, as Pulitzer, recognizes,[10] under priority 5:

> "Any channels which remain unassigned under the foregoing priorities will be assigned to the various communities depending on the size of the population of each community, the geographical location of such community, and the number of television services available to such community from television stations located in other communities."

As is clear from the language of priority 5, the FCC did not intend priority 5 to outweigh priority 1. Pulitzer has not cited any case in which the FCC has reallotted a channel from one community to another community, causing substantial loss of first service, to afford a larger community additional service because of its larger population, alleged greater cultural and commercial

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[9] Indeed, in the Sixth Report and Order, 41 FCC at 170-71, the Commission rejected the principle that four commercial VHF channels should be assigned to each of the major TV markets, in favor of a more equitable distribution of VHF channels among the states and communities.

[10] See Comments, p. 5, n. 3.

significance,[11] or better economic circumstances, as Pulitzer would have the Commission do here.

Nor should the FCC reallot Channel 3 to Farmington rather than assigning a new UHF channel to Farmington because a VHF station would be cheaper for Pulitzer to build or operate, as argued by Pulitzer, in its Comments, pp. 6-8. These factors do not outweigh the FCC's allotment priorities, which should provide the basis for the decision in this proceeding, and such extraneous factors should not be considered by the FCC.

Nor has Pulitzer provided evidence to support its claim that allotment of a UHF channel to Farmington would impose additional costs on significant numbers of viewers. As pointed out in the Engineering Statement of Jules Cohen & Associates, p. 7, attached to the Pulitzer Comments, there are twelve UHF TV translators and low power television stations authorized in the Farmington area.

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[11] Pulitzer has not demonstrated Farmington's greater cultural and commercial significance to the region, which it claims in its Comments, p. 6. Indeed, Pulitzer notes in its Petition for Rule Making that its proposal does not involve moving from a rural area to an urban area but rather involves two rural New Mexico communities, both encompassed in the Albuquerque ADI. Petition for Rule Making, p. 8. Although Farmington's population is larger than that of Gallup, the difference is not so substantial as to make Gallup a sleepy backwater and Farmington a thriving metropolis. Indeed, Gallup has a police department with 54 officers (as compared to Farmington's 81 officers), a fire department with four fire stations (as compared to Farmington's five fire stations), airport, train and bus depots, 25 parks (compared to Farmington's 37 parks), a municipal golf course, 10 malls/plazas, 38 hotels/motels/inns, and four banks (as compared to Farmington's six banks). (Information taken from "Northwest New Mexico Council of Governments

Therefore, it is doubtful that there are significant numbers of viewers in the Farmington area who do not have an antenna capable of receiving UHF television. Even, assuming, arguendo, that there are some such viewers, this factor does not override the FCC's allotment priorities.

Further, while Pulitzer claims that the allotment of a UHF channel at Farmington, instead of Channel 3, would disrupt existing translators, and that allotment of Channel 3 to Farmington would not disrupt existing UHF translators,[12] that assertion totally and disingenuously ignores the potential for disruptive impact of Channel 3 at Farmington on VHF translators. Indeed, as shown in Exhibit 1 hereto, allotment of a UHF channel to Farmington would potentially affect fewer licensed TV translator stations than would reallotment of Channel 3 to Farmington.

III. **Channel 3 Will Not Lie Fallow at Gallup**

A fundamental flaw in Pulitzer's Comments is its assumption that Channel 3 at Gallup will lie fallow if Pulitzer does not build Station KOAV-TV. Comments, p.8, n. 8. This assumption is also at the root of its misguided arguments that KOAV should not be considered a potential service on Channel 3 at Gallup and that it would be wasteful to leave Channel 3 at Gallup. The fact remains, however, that Channel 3 will not lie fallow at Gallup. KOB is committed to applying for a new television station on Channel 3 at Gallup, and, if authorized, will build and operate the station promptly. This critical fact makes the Commission's

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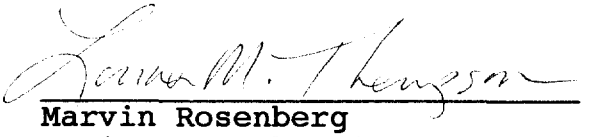
[12] Engineering statement of Jules Cohen & Associates, p. 7.

decision in Amendment of Section 73.606, Table of Assignments (Rhinelander, Wisconsin; Ironwood, Michigan), 3 R.R.2d 1683 (1964), cited and relied upon heavily by Pulitzer in its Comments, pp. 11-12, irrelevant. In this case, unlike that case, Channel 3 at Gallup will be used if it is vacated by Pulitzer.[13] As discussed in KOB's Comments and/or Counterproposal, the FCC has a long-standing policy of refusing to reallot a channel to a new community for which an interest has been expressed at the original location.

Accordingly, for the foregoing reasons, KOB-TV, Inc. urges the Commission to retain Channel 3 at Gallup and to allot a new UHF channel at Farmington.

Respectfully submitted,

KOB-TV, INC.

By: 

Marvin Rosenberg
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June 23, 1992

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[13] Additionally, in the Rhinelander case, reallotment of Channel 12 was also preferable to a new assignment of Channel 4 because Channel 12 would permit greater flexibility in locating the transmitter site. 3 R.R.2d at 1690. No such consideration has been shown here.

CERTIFICATE OF SERVICE

I, Inder Kashyap, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the following "Reply Comments" was sent this 23rd day of June, 1992, first-class United States mail, postage prepaid, to the following:

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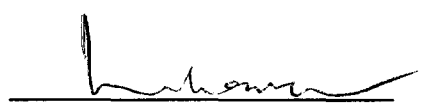

Inder Kashyap

EXHIBIT 1

TECHNICAL STATEMENT
IN SUPPORT OF THE REPLY COMMENTS
KOB-TV INC.
FARMINGTON AND GALLUP, NEW MEXIC

ORIGINAL

This technical statement and associated exhibits have been prepared on behalf of KOB-TV Inc. (KOB-TV) in support of reply comments in the Federal Communications Commission's Notice of Proposed Rule Making in MM Docket No. 92-81 (Docket). KOB-TV is the licensee of TV Stations KOB-TV, channel 4, Albuquerque, New Mexico and KOBF, channel 12, Farmington, New Mexico.

The Docket was issued in response to a request from Pulitzer Broadcasting Company (Pulitzer), permittee of TV Station KOAV, Channel 3, Gallup, New Mexico, and proposes the reallotment of channel 3 from Gallup to Farmington and the modification of the construction permit (FCC File No. BPCT-891010KG) of KOAV to specify Farmington as its community of license. Comments were filed by Pulitzer and KOB-TV.

Summary of Reply Comments

1. Pulitzer's use of an alternate signal propagation method to determine contour distances is not appropriate for allotment proceedings.

2. Pulitzer bases its "white" and "gray" area showings on facilities which may not be achievable.

3. Using the comparative criteria contained in the Commission's Memorandum Opinion and Order in MM

Docket No. 86-29, the service value index for the authorized KOAV "gain area" is 58,715 persons, whereas the service value index for the proposed Pulitzer "gain area" is 57,894 persons, based on 1990 Census data.

2. Adoption of the Pulitzer reallotment proposal will create a net TV "white" (0 service) area containing 53,667 persons within 5,931 square kilometers.

4. Activation of any of the 32 available UHF channels at Farmington would potentially affect fewer licensed TV translator stations than would the activation of channel 3 at Farmington as proposed by Pulitzer.

Alternate Signal Propagation Method

The Pulitzer Petition included a showing of the availability of other Grade B services to the areas which would gain and lose service based on adoption of the reallotment proposal. The showing included field strength measurements on KREZ-TV on channel 6 at Durango, Colorado. The field strength measurements were used to support the number of persons which would receive a second TV service based on adoption of the reallotment proposal. In the Docket the Commission requested that Pulitzer provide additional information concerning the locations of the KREZ and KOAV contours.

In its Comments, Pulitzer utilized a computer propagation model for its analysis of the availability of other Grade B services. Specifically, the Communications System Performance Mode (CSPM) computer program developed by the Institute for Telecommunications Sciences (ITS) of the National Telecommunications and Information Administration (NTIA) was used. As detailed below, Pulitzer's use of the CSPM model was inconsistent and incomplete. Furthermore, use of this alternate propagation model in an allotment proceeding is not considered appropriate.

For its "other services" analysis, Pulitzer utilized the CSPM model to determine the locations of the Grade B contours of the hypothetical KOAV operation at Farmington, KREZ-TV and KOBF on channel 12 at Farmington. However, the Commission's standard prediction method was used to determine the Grade B contour location of KKTO on channel 2 at Santa Fe, New Mexico. Furthermore, the Grade B contour for KCHF on channel 11 at Santa Fe, which provides service within the hypothetical KOAV Grade B contour, was omitted from both the Pulitzer Petition and Comments. Inclusion of this contour will change the results. Also, sample calculations were not included in the Pulitzer Comments which has traditionally been required by the Commission for such non-standard showings.

In a recent TV allotment proceeding, the Commission refused to consider use of a computer program developed by the NTIA to predict the locations of TV field

strengthcontours. Specifically, in the Notice of Proposed Rule Making in MM Docket No. 89-68[1], at paragraph 10, the Commission stated:

> The NTIA method yields results that vary significantly from the standard prediction method and from the other two methods presented by the petitioners. In addition, it is fundamentally different from the standard method, because it is frequency dependent within the band. As a theoretical matter, the NTIA method may present some improvements over other methods. However, we do not believe that it should be utilized as a tool in UHF TV allotment proceedings at the present time, because it represents a substantial departure from our current prediction methods, a departure we do not believe is justified without substantial further study and analysis. (Emphasis added)

Furthermore, the Commission's rules concerning the use of short-spaced FM antenna sites, which utilize contour protection, do not permit the use of terrain shielding or terrain roughness factors. Rather, well-established procedures using the Commission's standard prediction method for the noncommercial educational FM service and Low Power TV (LPTV) service, were adopted for determining the distances to the protected and interfering contours.

Although, the Commission has a Policy which permits LPTV stations seeking a waiver of the contour overlap rules to utilize terrain shielding on a "case-by-case" basis, its use is only permitted to determine the

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[1]This proceeding involved a swap of the UHF channels of TV station WRES-TV, channel *18, Cocoa, Florida and WCLU-TV, channel 68, Clermont, Florida (Adopted: March 7, 1989; Released: March 23, 1989).

extent of the interfering contour of the LPTV station. Terrain shielding is not used to determine the location of the protected contour of the primary TV station(s) being protected. Furthermore, the Commission noted the secondary nature of LPTV stations, which are required to eliminate any objectionable interference, in permitting use of terrain shielding to demonstrate contour protection.

Hypothetical KOAV Facilities

The hypothetical facilities proposed by Pulitzer are for operation on channel 3 at Farmington with an effective radiated power (ERP) of 100 kW and an antenna height above average terrain (HAAT) of 150 meters (492 feet). Operation is proposed from the existing transmitter site of TV translator station K19CM on channel 19 at Farmington. Achieving these hypothetical facilities, used for the "white" (0 TV services) and "gray" (1 TV service) showings by Pulitzer, has not been demonstrated by Pulitzer.

The FAA's tower database indicates that the overall height of the K19CM tower is 1818 meters (5966 feet) above mean sea level (FAA No. 88SW1839). The terrain average for the K19CM site, based on the NGDC digitized terrain database, is 1722 meters (5649 feet). In order to achieve a HAAT of 150 meters (492 feet), the center of radiation would have to be located 1872 meters (6141 feet) above mean sea level, necessitating an increase in the existing antenna height of more than 54 meters (177 feet). Any increase in height would require FAA approval, and possibly local zoning approval.

Furthermore, the authorized KOAV facilities are an ERP of 24 kW and an HAAT of 31 meters. Therefore, the hypothetical facilities propose more than four times the ERP and three times the HAAT of the authorized KOAV facilities.

Availability Services Analysis

In the Commission's Memorandum Opinion and Order in MM Docket No. 86-29 (FCC 91-61) concerning conflicting FM upgrade proposals at Greenup, Kentucky and Athens, Ohio (Greenup MO&O), the Commission developed a method to evaluate mutually exclusive FM upgrade proposals. The method is described in Paragraphs 12 through 15 of the Greenup MO&O.

The Pulitzer reallotment proposal has been evaluated using the comparative coverage criteria contained in the Greenup MO&O. A comparison was made between the areas that would gain and lose service based on the hypothetical site/facilities assumed by Pulitzer in the Docket. The area located within the authorized KOAV Grade B contour would lose service (loss area) and the area located within the hypothetical KOAV Grade B contour would gain service (gain area). These areas have been shown on Figure 1.

In applying the Greenup MO&O method to the Pulitzer proposal, the following criteria were used. The number of available TV services within the gain and loss areas was determined using existing and authorized commercial and noncommercial TV stations only. The corresponding population for each service level, or

"pocket" was then determined. The total population for each pocket is divided by the number of available TV services to obtain a service value "index". Using this method the population within a pocket is discounted as the number of available services received increases. These population service indices are then summed and the resulting number represents a service value index for the gain or loss area.

The number of existing or authorized TV services available within the authorized KOAV (loss area) and hypothetical KOAV (gain area) Grade B contours has been determined using the Commission's standard prediction method. Specifically, the locations of the predicted Grade B contours for all stations were determined based on the provisions of 47 CFR 73.684. Digitized terrain data contained in the NGDC 30-second computer database was used to determine the average terrain elevations for the standard eight radials. Existing or authorized facilities were used to determine the locations of the Grade B contours of stations providing service to the gain and loss areas. Grade B contours are identified on the figures by call letters and facilities.

The numbers within the KOAV authorized (loss area) and hypothetical (gain area) Grade B contours depicted on Figure 1 represent the number of existing or authorized TV services within each area or "pocket". Figure 2 tabulates the 1990 Census population and area within the Grade B contours. Also tabulated are the TV service "pockets", the 1990 Census population within each of these pockets, the service index population for each pocket and the total population of these pockets, which

represents the "service value index" for the gain and loss areas. The service value index for the authorized KOAV Grade B contour (loss area) exceeds the service value index for the hypothetical KOAV Grade B contour (gain area).

It is noted that the number of TV services available within each pocket depicted on Figure 1 do not include the service from either the authorized or hypothetical KOAV operations; whereas, the number of services within each pocket tabulated on Figure 2 do include these services. To illustrate, the entire area within the authorized KOAV Grade B contour identified on Figure 1 as having 0 (TV "white" area) services was considered to have "1" service for the Greenup MO&O analysis on Figure 2.

As shown on Figure 1 and tabulated on Figure 2, the Pulitzer proposal would create TV "white" area (0 service) within the loss area containing 58,715 persons within an area of 8,801 square kilometers, and provide service to TV "white" area within the gain area containing 5,048 persons within an area of 2,870 square kilometers. Therefore, adoption of the Pulitzer reallotment proposal will create a net TV "white" area containing 53,667 persons within 5,931 square kilometers.

The estimated 1990 Census population within each Grade B contour and TV service "pocket" depicted on Figure 1 were determined using a computer program that utilizes the 1990 U.S. Census database of "population centroids". The program adds the population of those U.S. Census designated areas (blocks) whose centroids lie within each

Grade B contour or TV service "pocket". The areas were calculated using a polar planimeter taking into account the appropriate map scale factor.

Translator Service Disruption

As noted in the KOB-TV Comments, the activation of channel 3 at Farmington could adversely affect 25 licensed TV translator stations based on the criteria contained in paragraph 26 of the Report and Order in BC Docket No. 78-253 (An Inquiry into the Future Role of Low Power Television Broadcasting and Television Translators in the National Telecommunications System). As further noted in the KOB-TV Comments, there are 32 UHF channels that are fully-spaced and available for allotment to Farmington. The criteria in paragraph 26 of the Report and Order in BC Docket No. 253 were also used to determine potentially affected UHF translator stations on these channels as follows:

Full Service Station is:	Distance to Affected Translator (km)
Co-Channel (non-offset)	338
±1 Channel	121
±2, 3, 4, 5 Channels	32
+7 Channels	97
-14 Channels	113
-15 Channels	121

The above criteria for co-channel stations are conservative as consideration was not given to frequency off-set operation which in many cases would eliminate potential effects. Furthermore, in determining the number of potentially affected stations consideration was also given to interference "received" by translator stations

located 7 channels below (oscillator interference), 14 channels above (sound image interference) and 15 channels above (picture image interference) the full service station's channel. Received interference by translator stations is not recognized by the Commission in the allotment of full-service TV channels, does not require facility modifications by the translator station and is routinely ignored by TV translator applicants.

Figure 2 tabulates each of the 32 available UHF allotment at Farmington, the number of licensed TV translator stations potentially affected by activation of the allotment, and the number of TV translator stations included in the total which would be subject to received interference only. As shown, activation of any one of these channels would potentially affect fewer licensed TV translator stations than would the activation of channel 3 at Farmington as proposed by Pulitzer.

W. Jeffrey Reynolds

W. Jeffrey Reynolds

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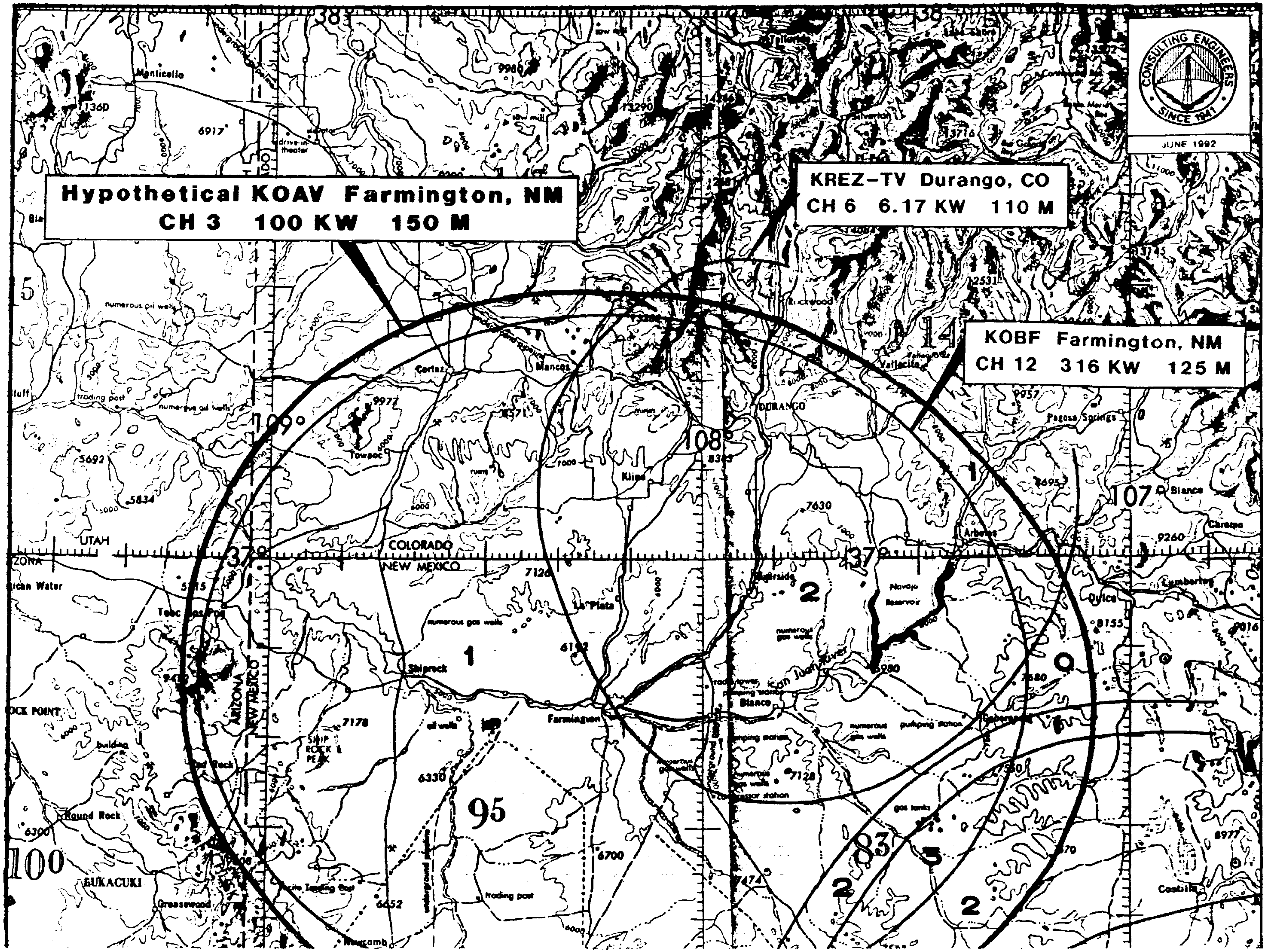
June 17, 1992



Hypothetical KOAV Farmington, NM
CH 3 100 KW 150 M
KREZ-TV Durango, CO
CH 6 6.17 KW 110 M
KOBF Farmington, NM
CH 12 316 KW 125 M
CONSULTING ENGINEERS
SINCE 1941
JUNE 1992
Monticello
Cortez
Mancos
DURANGO
Towaoc
Kline
Pagosa Springs
UTAH
COLORADO
NEW MEXICO
ARIZONA
Shiprock
Farmington
La Plata
Blanco
Navajo Reservoir
Dulce
Lumberton
Chama
Arboles
Round Rock
LUKACUKI
Greasewood
Newcomb
Costilla
Silverton
Telluride
Vallecito
SHIP ROCK PEAK
numerous oil wells
numerous gas wells
trading post

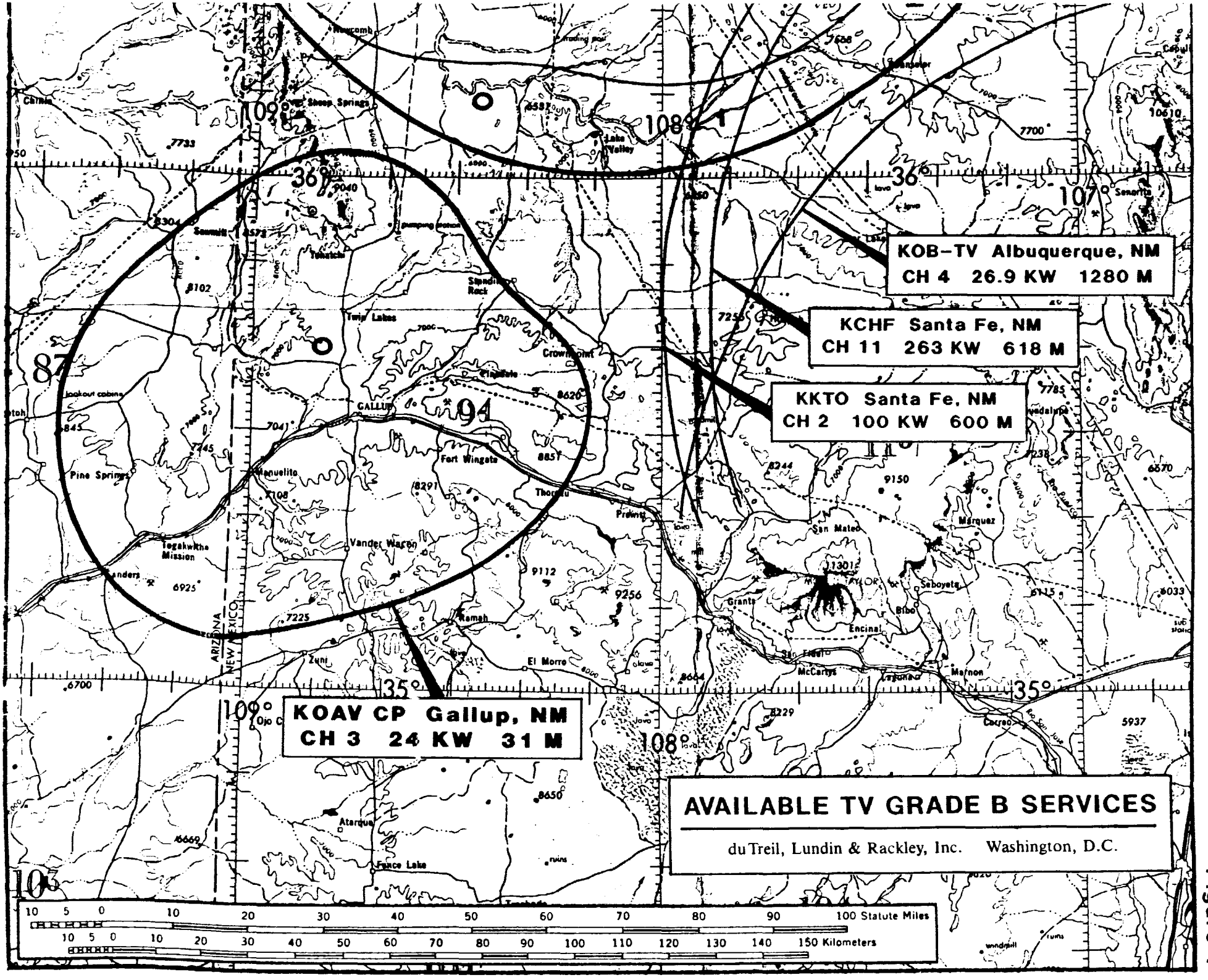

KOB–TV Albuquerque, NM
CH 4 26.9 KW 1280 M
KCHF Santa Fe, NM
CH 11 263 KW 618 M
KKTO Santa Fe, NM
CH 2 100 KW 600 M
KOAV CP Gallup, NM
CH 3 24 KW 31 M
AVAILABLE TV GRADE B SERVICES
duTreil, Lundin & Rackley, Inc. Washington, D.C.
10 5 0 10 20 30 40 50 60 70 80 90 100 Statute Miles
10 5 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 Kilometers

Figure 1